vss

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.1255 OF 2004

Namdeo Dnyanoba Ghorpade ... Petitioner

V/s.

The Chairman
Kavathe Vividh, Karyakari Sahakari
Seva Society Ltd., Kavathe & Ors. ... Respondents

Mr.Sachin Manale i/b S.S. Pakale for Petitioner
Mr.V.B. Rajure for Respondent No.1
Mr.Dilip Bodke for Respondent No.2

CORAM: **SMT.NISHITA MHATRE, J.**

DATED: **MARCH 14, 2007**

P.C.:

. By order dated 27.1.2003, the Labour Court had allowed the complaint filed by the Petitioner. The Petitioner was entitled to reinstatement with continuity of service but without backwages. Respondent No.2 aggrieved by this decision of the Labour Court has preferred a revision being Revision Application (ULP) No.71 of 2003. By order dated 20.12.2003, the order of the Labour Court has been stayed. Aggrieved by this order, the Petitioner has preferred the present Petition.

2. Without going into the merits of the dispute, in my view, it would be appropriate to direct the

Industrial Court to dispose off the Revision Application which is pending for the last four years within three months from today. According to Respondent No.1, the workman has already attained the age of superannuation. This fact is disputed by the Petitioner.

3. The Industrial Court, Satara is accordingly directed to dispose off the Revision Application (ULP) No.71 of 2003 within three months from today. The Industrial Court will also consider at the time of granting relief as to whether in fact the Petitioner has attained the age of superannuation and the date on which he attained the age of superannuation.

4. Writ Petition is disposed off accordingly.